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An Element Of The Tulare County General Plan

Prepared by Tulare County Planning Department

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TUCYPL 75-117

## SCENIC HIGHWAYS

Approved: Tulare County Planning Commission

Resolution No. 4461, August 27, 1975

Adopted: To

Tulare County Board of Supervisors Resolution No. 75-2590, September 16, 1975

An Element Of The Tulare County General Plan

Prepared by Tulare County Planning Department

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# County of Tulare



#### PLANNING DEPARTMENT

Telephone (209) 732-5511 - Ext. 341

Room 107, Courthouse

VISALIA, CALIFORNIA 93277

August 19, 1975

The Honorable Board of Supervisors Tulare County Visalia, California 93277

Gentlemen:

This Scenic Highways Element of the Tulare County General Plan has been prepared as a State of California mandated element.

It is designed as simply as possible to provide policies and implementation procedures to protect scenic routes in Tulare County. Further, its adoption sets up the necessary process for the State to officially designate portions of Highways 198 and 190 as official scenic highways; they could then be included in the State Master Plan for Scenic Highways.

County scenic routes are also designated in the element; we now find ourselves in the position to act upon official designation of these routes at your request.

Since Tulare County is rich in scenic resources, this element coordinates with other environmental elements of the General Plan; we hope you will find it helpful in your effort to keep the County a pleasant place to live, work, and visit.

Sincerely,

TULARE COUNTY PLANNING DEPARTMENT

Robert L. Wall, Planning Director

RLW: jr

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Author(s) Tulare County Planning Department	8. Performing Organization Rept. No. TUCYPL 75-117
Performing Organization Name and Address	10. Project/Task/Work Unit No.
Tulare County Planning Department	
Room 107, County Center	11. Contract/Grant No.
Visalia, CA 93277	
, Sponsoring Organization Name and Address	13. Type of Report & Period Covered
County of Tulare	Final
Visalia, California 93277	14.
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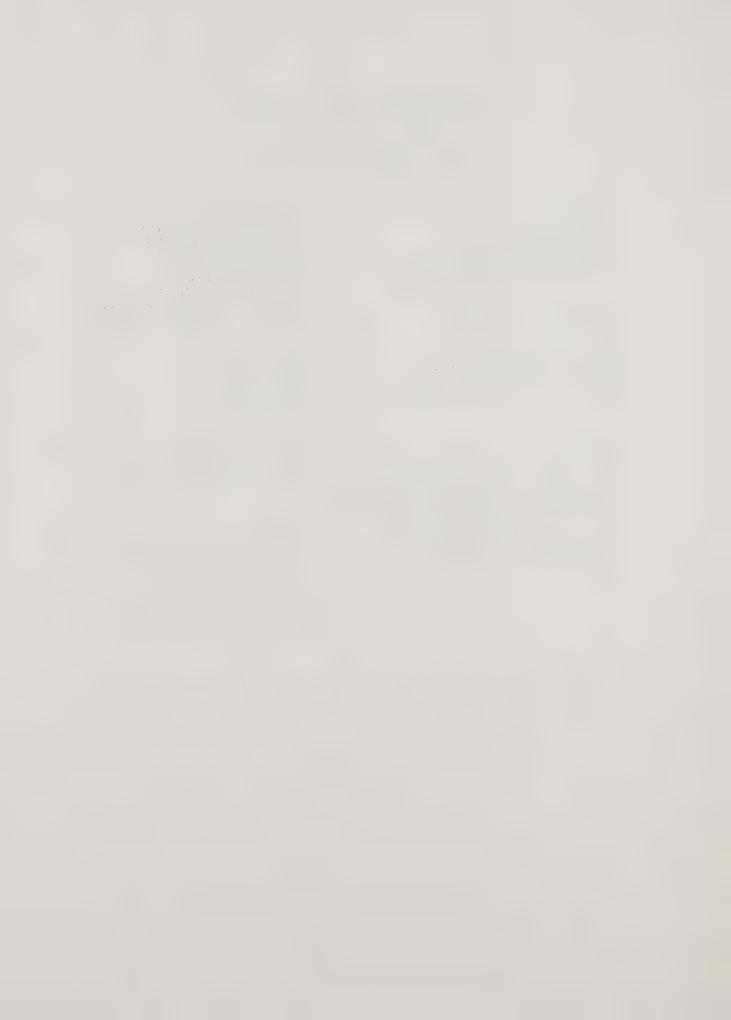
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The Horse Creek area is scenically located in the foothills on Lake Kaweah. It is one of the first foothill views along Highway 198.



The photographs on this page show typical scenery along Highway 198 between Three Rivers and the entrance to Sequoia National Park.





### CHAPTER I

BACKGROUND AND JUSTIFICATION FOR THE SCENIC HIGHWAYS ELEMENT

The California State Scenic Highways Program was established by the State Legislature through Senate Bill No. 1467 (Farr) in 1963. This Bill established the Scenic Highway Advisory Committee as the State's primary policy body for recommending program criteria to be used in reviewing local applications and recommending approval of official Scenic Highway designations.

The State Master Plan for Scenic Highways, also adopted by the Legislature in the early 1960's, identifies those highways that are eligible for official designation. (See Appendix), Based on State-wide public hearings, the Advisory Committee has established the basic procedure and required planning actions that local governments must take in order to achieve official designations for their eligible scenic highways.

If the legislative body of the local jurisdiction does not wish to seek official designation of its eligible highways, that is its choice to make. However, planning policies should still be adopted which control development around and maintain the scenic quality of these highways; these policies will protect an important economic and environmental resource of Tulare County.

In order to assure local planning for scenic routes, Section 65302 of the California Government Code was amended in 1969 to include a Scenic Highways Element as a mandatory element of the general plans of counties and general law cities. (See Appendix). It is intended that this Scenic Highways Element meets the mandatory requirement of the Government Code.

The County of Tulare contains two highways designated as eligible State Scenic Highways in the State Master Plan. These are as follows:

- -- Highway 198 east of Freeway 99 to Sequoia National Park
- -- Highway 190 east to Porterville to Springville

(See map following page 6.)

In addition, there are other county highways that may need protection of scenic qualities.

The scope of this element covers only the unincorporated areas of the County. Since general law cities are also required to adopt Scenic Highway Elements, when a city proposes a scenic route, or where an eligible State Scenic Highway passes through an incorporated area, the city must take the responsibility for enacting and enforcing its own scenic highway program. It is this County's intention, however, to coordinate with cities where scenic routes cross jurisdictional boundaries.

#### STATE PLAN FOR SCENIC HIGHWAYS

When the State Master Plan for Scenic Highways was adopted by the Legislature in 1963, 6,787 miles of highway were determined to be eligible for official designation as State Scenic Highways. Since 1963, 793.7 miles of highway have achieved such official designation.\* However, the portions of Highways 198 and 190 in Tulare County determined by the State to be eligible in 1963 have not been officially designated. The map following page 6 shows those Tulare County highways which are still eligible for official designation.

It is apparent that the State Scenic Highway program has progressed very slowly since its inception 12 years ago. The most progress has been made in areas whose economic well-being has already been recognized to basically depend upon scenic resources and the tourist dollars that they generate. Monterey County, for example, has aggressively pursued official designation of its scenic routes for economic and environmental protection reasons.

#### **DEFINITIONS**

STATE SCENIC HIGHWAY -- A highway shall be known as a State Scenic Highway if it is included in the State Master Plan for Scenic Highways as adopted by the State Legislature.

ELIGIBLE STATE SCENIC HIGHWAY -- A highway that has been designated by the State Master Plan for Scenic Highways as eligible for State Scenic Highway status if the State and County determine that minimum standards are met, and the County follows proper procedures to acquire official designation. (e.g. Highways 198 and 190 as earlier specified).

COUNTY SCENIC HIGHWAY -- Highways not included in the State Master Plan for Scenic Highways, but designated officially on the local level by the Board of Supervisors.

 ${\tt CALTRANS}$  -- California State Department of Transportation.

SCENIC CORRIDOR -- The visible land area outside of the highway right-of-way which can be realistically subjected to protective land use controls.

SCENIC DRIVE -- That extent of highway or local road identified by the County in its 1965 Regional Recreation Areas Plan which offer views of outstanding natural or manmade features.

STATE MASTER PLAN FOR SCENIC HIGHWAYS -- The official California Scenic Highway System Map which indicates eligible and existing officially designated state scenic highways.

STATE SCENIC HIGHWAY PROGRAM -- The program leading to the official designation of routes as scenic highways.

<sup>\*</sup> State maps showing eligible and officially designated State Scenic Highways may be seen in the State Master Plan for Scenic Highways and the 1974 Progress Report for the State Scenic Highway Program. These documents are available at the Tulare County Planning Department.



Valley oaks line Highway 198 and provide a scenic entrance into Visalia. The freeway then is depressed as it passes through Visalia, providing further scenic highway treatment to the traveler on the way to the mountains or the national park.





Three Rivers is a beautiful foothill community located on the Kaweah River. Travelers along Highway 198 can stop for services before they reach the entrance to Sequoia National Park.

As shown in the photograph below, undergrounding of utility lines and screening of unsightly business operations along the highway would make Three Rivers even more attractive.





### CHAPTER II FACTORS

There is a wide range of factors involved that supports planning for scenic highways. The unique geography and physical characteristics of Tulare County and the environmental riches within its boundaries deserve entry routes which are planned to provide a worthy introduction. Also, Tulare County derives a sizable number of tourist dollars from its scenic and recreation resources; therefore, there are important economic factors to be considered in planning scenic routes. Finally, there are cultural factors involved, such as historic sites, biological resources, and environmental protection--in effect, the recognition of the County's quality of life and preserving and/or enhancing it.

These major factors are more fully discussed in this section of the Scenic Highways Element.

#### PHYSICAL/GEOGRAPHIC FACTORS

Tulare County is located on the east side of the southern San Joaquin Valley, approximately halfway between the two major urban areas of the State--the Los Angeles Basin and the San Francisco Bay area. It is the seventh largest county in the State in land area; however, the federal government owns almost 50% of the land in the County; almost all of this land is reserved for forest and recreation areas.

That part of the County lying on the valley floor is level and is primarily used for agriculture. The valley floor rises to the east to foothills and then to the mountain area, which comprises the crest of the Sierra Nevada.

This physical/geographic pattern of valley, foothills, and mountains causes a wide range of planning problems in Tulare County. Agricultural lands in the valley must be protected from unwise urban encroachment, while the scenic and environmental resources of the foothills and the mountains must be conserved for ecological, economic, and environmental management reasons while maintaining a balanced economy.

The highways that are being considered for designation as scenic routes traverse the entire physical pattern of the County. Therefore, policies and implementation measures in this Element must be general enough to reflect this physical diversity, while being specific enough to protect the variety of scenic experiences available to both local and visiting users of these routes.

#### ECONOMIC FACTORS

Tourist dollars are an important part of Tulare County's economic base. Because of its location, this County draws both northern and southern Californians to its scenic and recreational areas, as well as serving its own population and that of surrounding counties. The two national parks within its boundaries also draw tourists from other parts of the State, the nation, and foreign countries.

The principal tourist attractions are located in the Sierra Nevada and its foothills, and include the national parks, national forests, and the "high country" of the Sierras. Tourists and local citizens are also drawn to Lake Kaweah and Lake Success in the lower foothill region of the County; these areas provide a wide diversity of water-oriented recreational activities.

The U. S. Forest Service, in its Environmental Program for the Future (1974), predicts that recreational use of public land is increasing at a rate of 40% per decade. Currently, almost two million people are using the national parks alone for recreational purposes. Tulare County, as the gateway to these major recreational centers, is highly impacted economically by this large number of people using resources within its boundaries. The Southern California Visitors Council estimates that the minimum daily tourist expenditure is \$17.00. This total includes food, accommodations, gasoline, gifts, and other miscellaneous expenses associated with travel.

In addition, County residents spend money to use local recreational facilities; this average expenditure, however, is very difficult to calculate.

Staff calculations for the Tulare County Economic Base Study, using percentages calculated from 1974 statistics of the Southern California Visitors Council, estimate that the total tourist expenditures for 1974 in Tulare County were \$94,371,000. This is a staggering amount of money; its impact on the economic health of the County is readily apparent. (For the purpose of comparing revenue sources, agriculture generated approximately \$683,000,000.)

In basic terms, the County has an economic windfall in its scenic resources; in order to get to these scenic areas, millions of people are using Highways 198, 190, and 65 in particular as access routes. It is obviously in the County's best interests to protect these access routes, especially their own scenic qualities. As stated previously, the scenic riches available in this county deserve an equally scenic introduction.

#### CULTURAL FACTORS

It is easy to recognize the physical/geographic factors which influence this county; one only has to look to confirm them. Economic factors can be estimated or computed in hard figures—the number of tourist visits and the number of dollars they pump into the economy, for example. However, cultural factors are more difficult to describe; further their worth cannot be calculated in dollars and cents. Their value is subjective, but they impact dramatically on the quality of life in Tulare County, and are basically controlled by the willingness of its citizens to protect that quality of life.

Some of these cultural factors include environmental protection, preservation of historic sites, protection of endangered species of plants and animals, and recognition of areas of educational value. Land Use Control is also a cultural factor in planning for scenic areas. The Biological Resources section of Tulare County's Environmental Resources Management Element (ERME) of the General Plan deals with a wide range of environmental cultural factors, while the ERME itself addresses more basic concerns such as quality of land, water, and air. It appears, then, that Tulare County has shown its concern for protection of the environment under its control by adoption of policies which recognize its value.

Scenic routes are a vital part of this environmental picture, primarily because they are used to gain access to many of the activities related to the environment. This Scenic Highways Element—particularly its policies and implementation measures—provides an important link in the County's guidance and control mechanisms. The ERME and the issues it raises are thereby complemented.

It must be remembered that roads are not just physical structures that allow people to get from one place to another. They are also this mobile society's major means of availing itself of life's cultural experiences. For this reason, they must be planned for in the subjective sense as well as objectively, because they play such an important part as people enrich their lives recreationally and in the basic enjoyment of the environment in which they live.



Yokohl Valley, pictured above, can be reached via Highway 198 east of Visalia.



The photographs on this page show the proliferation of off-premise advertising along Highway 198 entering and leaving Visalia.





### CHAPTER III POLICIES

#### GENERAL POLICIES FOR SCENIC HIGHWAYS

The following policies are formulated to provide local protection for scenic highways and routes; they also meet the State's minimum criteria that could eventually lead to official State designation of eligible scenic highways and locally specified County scenic routes.

These policies are designed to achieve a workable approach to conservation of scenic values without causing undue hardship on property owners of lands abutting the routes. This approach to environmental protection is based on sound <u>local</u> reasons for enhancing scenic routes within the County. These environmental protection measures are based on economic factors which recognize the necessity of wisely encouraging tourism by making sure that scenic routes remain scenic. Tulare County must protect this important part of its economic base; fortunately, this can be achieved through equally important environmental protection measures.

### MINIMUM STANDARDS FOR PROTECTION OF SCENIC ROUTES

(These policy statements meet the minimum requirements of <u>State Guidelines</u> for the Official Designation of <u>Eligible Scenic Highways</u>, Sections 1.0 through 5.5)

It is the policy of the County of Tulare to protect scenic routes within its jurisdiction through the following measures:

- Adopt this General Plan element which delineates local scenic routes and offers protection measures for those routes. (This document meets the State requirement.)
- 2. Prepare a sign or billboard ordinance for adoption along locally designated scenic routes that basically accomplishes the following:
  - -Formulates a timed program for eventual elimination of existing off-premise (billboard) advertising. Approved information panels are accepted.
  - -For outdoor advertising that is necessary, such signs will be placed according to standards adopted by the Board of Supervisors.
- 3. Enforce existing land use regulations and update zoning and subdivision ordinances as necessary to fully protect property abutting scenic routes. (See official zoning maps on file in the Tulare County Planning Department for existing zoning.)





# SCENIC HIGHWAYS ELEMENT

STATE DESIGNATED ELIGIBLE SCENIC HIGHWAYS AND LOCAL SCENIC ROUTES

TULARE COUNTY

State designated eligible highways in State Master Plan

County designated eligible highways

1975



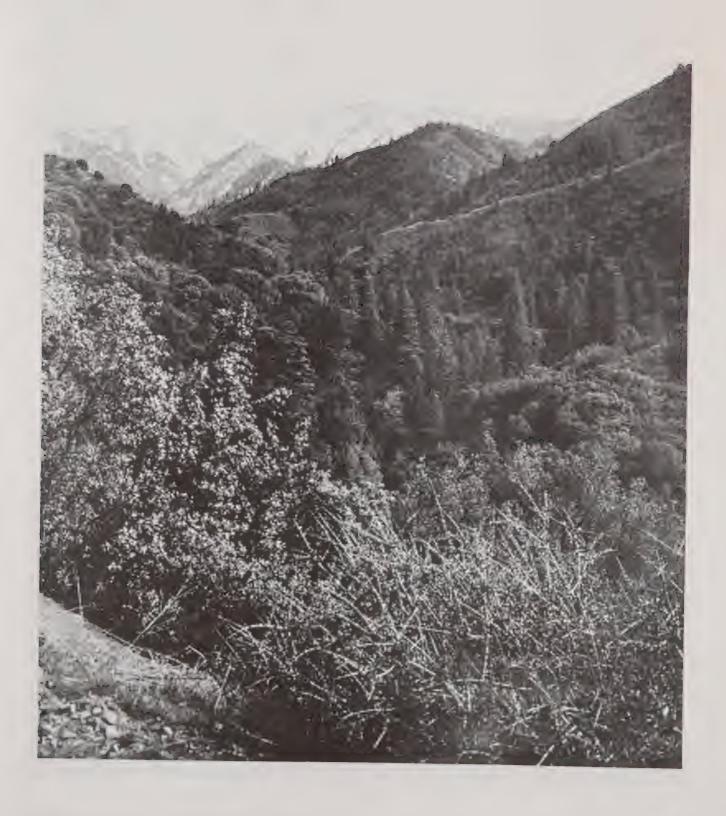
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The photographs on this page show foothill views on Highway 190 east of Porterville into the mountains.





This is an example of the mountain scenery accessible from Highway 190 in the Southern Sierra. The canyon of the upper Tule River is shown above.



## CHAPTER IV IMPLEMENTATION

Implementation measures available to carry out the provisions of this Element are described in this section. The measures outlined here can be accomplished largely by the use of non-fiscal procedures. These measures include the following:

- -- Direct government and Public Implementation Measures
- -- Subdivision Control/Land Use Regulations
- -- Coordination with Other General Plan Elements

A large portion of these measures can be accomplished by strict enforcement of existing subdivision and zoning regulations. This is possible because of the essentially rural nature of the areas surrounding this county's scenic routes. For example, approximately 50 - 60% of the land abutting Highway 198 is currently in the agricultural preserve program; approximately 75 - 80% of the land abutting Highway 190 is in the same program. These two highways are currently eligible for Official State Scenic Route designation in the State Master Plan for Scenic Highways.

Additionally, outside the urban areas of Visalia and Porterville, only about 5% of the total property is outside of the agricultural zones specified by the Tulare County Zoning Ordinance, and perhaps 1% or 2% of the total property is in residential development.

Given this rural nature of the area, implementation of measures to fully protect scenic routes is not a matter which will require substantial changes in the methods of operation currently in existence.

#### GOVERNMENT AND PUBLIC IMPLEMENTATION MEASURES

The easiest and most comprehensive manner in which government agencies at both the State and county levels can act to protect scenic routes is through the State Scenic Highway designation process. This process is summarized as follows:

#### State Scenic Highway Designation

As indicated earlier, the State makes provision for designation of official Statewide scenic highways. The burden of initiating proceedings for such designation and for imposing appropriate land use controls, however, rests with local government. The following steps must be taken:

 The State Legislature incorporates a given State route into the Master Plan of State Highways Eligible for Official Scenic Highway Designation (hereinafter called the State Master Plan for Scenic Highways) if it is not already so included.

This action is based on recommendation by the State Scenic Highway Advisory Committee and only identifies eligibility for designation. It does not confer actual scenic highway status. At the present time, only Highway 198 and a portion of Highway 190 are included in this Master Plan.

- 2. The local legislative body (Board of Supervisors or City Council) having jurisdiction over lands adjacent to the eligible route request (by resolution) the District Director of Transportation to prepare a Scenic Highway Report on the subject route consisting of a (1) corridor survey and (2) facility study. The report includes the following:
  - -- Suggested scenic corridor boundaries.
  - -- Scenic elements within the suggested corridor.
  - -- The relationship of the roadway to its surrounding environment.
  - -- Proposed realignments or improvements of the route.
  - -- Potential locations of roadside rests, vista points, and areas for public or commercial information sites.

The Report is prepared in cooperation with the local agency, including input from interested citizen groups and property owners. It presupposes that the local agency has already adopted a Scenic Highways Element of the General Plan.

- 3. Following completion of the Scenic Highway Report by CALTRANS, the local agency prepares its program to protect and enhance the scenic corridor as described in the Scenic Highway Report. This program must provide for the following:
  - -- Regulation of land use which may include density and/or intensity of development;
  - -- Detailed land and site planning;
  - -- Control of outdoor advertising;
  - -- Careful attention to and control of earthmoving and landscaping; and
  - -- Design and appearance of structures

Again, community input should be solicited in . this phase of the procedure.

4. Upon adoption of the Program, the local agency makes written request to the District Director of Transportation for official designation of the scenic highway. If the local agency's program is acceptable, the State Director of Transportation, again upon recommendation of the Scenic Highway Advisory Committee, officially designates the route as a scenic highway.

CALTRANS then shows the highway in all department publications and maps, and erects appropriate marker signs along the route. (These signs are an orange poppy on a mountain background done in two shades of blue.)

When applied to a proposed State highway, this program can serve as a vehicle for State/local cooperation in the design and alignment of the highway. When it is applied to an existing State highway, however, the benefit is largely to the County. It, in effect, serves as an inducement for local governments to protect scenic qualities adjacent to State highways in exchange for State "accreditation." While the program is thus worthy of serious consideration, it is not absolutely essential in order to provide protected scenic routes in Tulare County.

#### County Scenic Highway Designation

County highways shown as "Scenic Routes" in this Element may also be designated "official" by the State and receive appropriate marker signs. In this case, application by the County Board of Supervisors is made to the State Director of CALTRANS. All standards prescribed for designation of State highways apply here except that inclusion in the local General Plan replaces the requirement for inclusion in the State Master Plan for Scenic Highways; also, the Scenic Highway Report, mentioned before, is prepared by the local planning agency rather than the District Director of Transportation.

### SUBDIVISION CONTROL/LAND USE IMPLEMENTATION MEASURES

The key to successful implementation in this important way to protect scenic routes is enforcement of regulations now in effect. (See Appendix for list of local zoning regulations along the scenic routes.) The Zoning Ordinance of Tulare County is reasonably explicit in setting down limitations for subdivision control and in zoning districts for all portions of the County. While height and setback regulations, for example, preclude unwise development in rural areas, the major advantage in protection of scenic routes in Tulare County appears to be the current success of the agricultural preserve program. A majority of land adjacent to the scenic routes is already protected from development by this program. Thus enforcement of existing regulations becomes more simple in that less property is involved.

To complement existing regulations, there are a few new tools that can be utilized specifically in the case of scenic routes to fully protect them and to comply with the requirements for official Scenic Highway designation discussed previously.

#### Subdivision Regulations (Proposed)

An addition to the Tulare County Ordinance Code for subdivision control <u>specifically</u> along scenic routes should be adopted as soon as possible. Consideration should be given in this ordinance for the following, as they relate to subdivisions allowed only along <u>specifically designated</u> scenic routes:

- -- Limiting of cut and fill
- -- Tree preservation and/or replanting
- -- Bank seeding and planting
- -- Low density use of steep land
- -- Cluster development (P.U.D.)
- -- Setback from scenic route
- -- Setback from waters' edges
- -- Easement dedications
- -- Screening from view on scenic route
- -- Road design standards
- -- Underground utilities
- -- Other environmental considerations

It must be remembered that these provisions only apply to subdivisions allowed to develop along designated scenic routes.

#### Land Use/Zoning Implementation Measures

There are two land use/zoning tools that should be considered to fully protect the scenic routes. Neither of these require an outlay of public funds; both are in harmony and conformance with existing zoning regulations. They simply create regulations in response to the specific need to protect scenic routes. They are as follows:

- -- Addition to the Zoning Ordinance of a Scenic Corridor (SC) Overlay Zone along scenic routes.
- -- Adoption of a Sign/Billboard Ordinance Section to control advertising along scenic routes.

These tools can be accomplished as two separate procedures, or the billboard restrictions can be included as part of the Scenic Corridor (SC) Overlay Zone. The latter would be the most efficient way to utilize these implementation tools. These measures are described as follows in a combined form in the interests of simplicity and clarity:

#### Scenic Corridor (SC) Overlay Zone

Scenic corridor zoning is the primary means of corridor protection. The provisions needed will vary according to the location of the specific route.

In preparation of a scenic corridor zoning ordinance, it should be kept in mind that its intent is to preserve the scenic quality of the immediately visible land area and to prevent visual obstruction of the extended view. In rural corridors, this may mean the exclusion of high intensity land uses; this appears to be in keeping with the development history of properties along these routes. If such a zoning district should be established in Tulare County, it could be done by incorporating a base zone for rural areas which would control land use as well as site development. A combining zone might be incorporated for urbanized areas. This would be primarily aimed at architectural and site control to preserve an unobstructed view of and enrich scenic resources within the corridor.

A scenic corridor zoning ordinance for effectuating provisions of this Element should include the following provisions:

- -- Architectural Review--Design standards so that buildings and other structures incompatible with significant features of either the urban or rural environment will be controlled.
- -- Site Plan Review--Layout and landscaping of all development regulated so that the scenic quality of the area is not destroyed. This might include the screening of subdivisions from the roadway, depressed parking areas and other procedures discussed previously in the subdivision control section of this Chapter.
- -- Land Use--In rural areas, permitted land uses limited to single-family residential, agriculture, parks, trails, open space, and other appropriate uses. A conditional use permit may be utilized for certain uses, including compatible commercial.
- -- Building Heights--Regulation of building height so that scenic resources are not visually obstructed.
- -- Planned Unit Development--Clustering of development in order to preserve more open space. The number of structures or area covered, however, should not exceed residential density given above in rural corridors, and the already allowable density in urban corridors.
- -- <u>Historical Preservation</u>--Both sites and structures of historic interest protected through architectural and site control measures.
- -- On-premise Signs--Displays notifying the public of an activity or service provided on-site within the scenic corridor to be of limited size.
- -- Off-site Outdoor Advertising (billboards)-Off-site advertising regulated as to placement and size within the scenic corridor.

Many of the above provisions are contained in existing zoning regulations and development review procedures. A SCENIC CORRIDOR ZONING ORDINANCE WOULD NOT SUPERSEDE EXISTING PROVISIONS WHICH MEET THE SAME INTENT.

It should be again stressed that this zone would only apply to a designated amount of footage on either side of the scenic route, and would compile existing regulations into an ordinance which would specifically protect these areas.

#### Citizens Advisory Committee

If a citizens advisory committee is utilized, the committee should basically be composed of the following groups of citizens, and should be appointed by the Board of Supervisors:

- -- Representatives of the Planning Commission.
- -- Interested citizens from all areas of the County
- -- Property owners along the designated scenic routes.
- -- Architects with expertise in design review procedures.

This public input into the planning process ties in explicitly and efficiently with the official State designation program previously discussed. Thus government at the State and local levels can work with the public to protect an important economic and environmental resource—scenic routes in Tulare County.

#### COORDINATION WITH OTHER GENERAL PLAN ELEMENTS

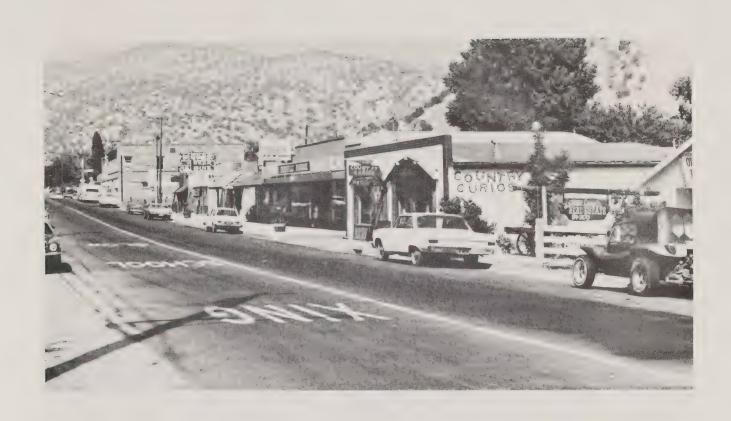
The policies and implementation measures included in this Scenic Highways Element have been specifically designed to complement adopted policies in the Environmental Resources Management Element, the Circulation Element, and the Land Use Element of the Tulare County General Plan.

These measures can also be adopted with no conflict regarding conformance with the Zoning Ordinance of Tulare County, as required by State law.

#### UPDATE AND MONITORING STANDARDS

This element should be monitored by the Planning Department staff on a continual basis as new State guidelines are issued, complementary elements mandated, and as other jurisdictions develop policies and implementation measures that are applicable and appropriate to Tulare County's planning process for scenic routes. State law requires an annual update; however, a five-year formal update of this Element should be programmed into the work schedule of the Tulare County Planning Department for review by the Planning Commission and the Board of Supervisors. This formal update should be coordinated with other work on related general plan elements, specifically the ERME, the Circulation Element, and the Land Use Element.

Conformance with the Zoning Ordinance of Tulare County should be maintained on a continuing basis.



Springville, a foothill town on Highway 190, offers a stopping place and service center to travelers to the Southern Sierras.



Lake Success offers a variety of wateroriented recreation activities to local citizens and visitors. It is located east of Porterville on Highway 190.



Lake Kaweah is a popular recreation area in Tulare County. It is located adjacent to Highway 198 south of Three Rivers in the foothills.

Appendix



E.R.C. 75-154/ND X-Ref. Tul. Co. Plan. Dept. Scenic Highway Element August 8, 1975

#### NEGATIVE DECLARATION

# DESCRIPTION OF PROJECT:

#### Location:

The adoption of a Scenic Highways Element for the unincorporated are of Tulare County as required under Section 65302 of the Government Code.

### Project Facts:

- 1. There are two State routes in Tulare County designated as "eligible for official designation", as shown in the State Master Plan for Scenic Highways.
- 2. The State Scenic Highway Advisory Committee, the State's primary policy body for setting scenic highway program criteria, has left responsibility for seeking official designation of eligible highways to local government.
- 3. The proposed Scenic Highway Element provides for meeting the minimum criteria necessary for the Tulare County Board of Supervisors to seek eligibility of portions of both Highway 198 and Highway 190 in Tulare County if (or when) they desire to do so.
- 4. The designated portion of the two state highways covered in the Element are Highway 198 east of Freeway 99 to Sequoia National Park Highway 190 east to Porterville to Springville (see attached map).

### Plans and Policies:

- The Element does not propose any new policies or changes in the present planning procedure.
   The Element reiterates some of the previously adopted plans and policies of the County.
- 2. The Element is not in conflict with the Transportation Plan, as prepared for the Tulare County Association of Governments (the Transportation Planning Agency for Tulare County). The Transportation Plan for Tulare County has been adopted by the Tulare County Association of Governments, but has not been finally approved by the State of California.
- 3. Additional scenic corridors (or routes) are indicated in the 1963 Land Use and Circulation Element of the Tulare County Area General Plan; in the Open Space Element of the Environmental Resources Management Element (1972).

### DECLARATION/NO SIGNIFICANT EFFECT:

This project will have no significant impact on the environment for the following reasons:

- 1. The project does not have the potential to degrade the quality of the environment or reduce the diversity in the environment.
- It appears that the project will not cause serious adverse public reaction based upon environmental issues.
- 3. The project does not displace any people.
- 4. The project does not affect any natural or man made features unique in this area.

E.R.C. 75-154/ND Page 2

This Negative Declaration was prepared by the Tulare County Planning Department. A copy may be obtained from the Tulare County Planning Department staff during normal business hours.

Respectfully submitted,

TULARE COUNTY PLANNING DEPARTMENT Robert L. Wall, Planning Director

APPROVED BY

NVIRONMENTAL REVIEW COMMITTEE

King Patrick Leonard, AIP

Division Head, Advance Planning

DATE

REVIEW PERIOD

KPL:sm

#### BACK UP STATEMENT

The proposed Scenic Highway Element of the Tulare County Area General Plan contains no new proposals that would significantly affect the environment of Tulare County. The Element is primarily designed to meet legal requirements of the State of California General Plan law. The proposed Element suggests mitigation measures such as sign control, grading and site development control, and other techniques for undertaking a Scenic Highway Implementation program, should the Board of Supervisors decide to do so. Consequently, a Negative Declaration has been prepared for this project.

sm

#### STATE SCENIC HIGHWAY STANDARDS

Taken from The Scenic Route - A guide for the official Designation of Eligible Scenic Highways\*

The following criteria should be primary in relation to the adoption of a potential system of eligible scenic highways for any jurisdiction in California.

The Scenic Highway Advisory Committee utilized the following standards in its evaluation of those highways shown on the State's Scenic Highway System Master Plan of eligibility.

- The scenic corridor through which the highway passes should have consistent scenic, historic, or aesthetic value during all seasons.
- Consideration should be given those highways or routes which are:
  - a. State or jurisdictional entry routes.
  - Predominately utilized for recreation or vacation travel.
  - Utilized for one-day sightseeing, or study, trips.
  - d. A part of an integrated, or semi-integrated, scenic route system that traverses varied scenic corridors for longer trips, and/or
  - e. Through areas of extraordinary scenic value.
  - f. Typical or demonstrative of varied scenic factors available within the jurisdiction.
- If possible, all principal landscape and topographical type areas should be represented in the system.
- Routes of historic significance which connect places of interest should be considered even though the route is of marginal scenic value.

In most cases, these criteria, if applied individually, would include most of the highways in California. Therefore, in order to reduce the total mileage of the scenic route system several of the factors above may be applied to any potential scenic highway under consideration. The reasoning for this reduction of the total mileage eligible for designation is that official designation of a scenic highway should be representative of an accomplishment of special significance.

The factors that have little or no particular significance in the consideration of eligible scenic routes would include:

- 1. Volume or character of traffic.
- 2. Type of highway or roadway.

Since the designation of a scenic highway is based on that which can be seen or experienced by the traveler, in relation to the corridor adjacent to the highway, these factors are not pertinent. The highway facility itself is discussed below.

Standards for the planning, location, and design of the highway facility.

Adequate standards for the planning, location, and design of the highway facility in order to take advantage of the best scenic values within the corridor should be applied.

<sup>\*</sup> State of California, Business and Transportation Agency, Department of Public Works

Generally, the State Division of Highways' standards for these three functions follow. It is suggested that any jurisdiction contemplating participation in the Scenic Highway Program consider adoption of these or similar standards.

- The establishment of general alignment and grade to fit the scenic character of the area to be traversed.
  - a. Curvilinear alignments should be stressed.
  - b. The highway profile should be rolled to fit the topography.
- The reduction to a minimum of all roadway cut and fill scars.
  - a. Elimination of cuts or fills wherever possible. This may be accomplished through the use of tunnels and/or bridges when necessary.
  - b. Flatten or contour all grades and landscape slopes where they cannot be eliminated.
  - c. Acquisition of wider rights of way or scenic easements should be encouraged.
    - (1) Access control is necessary.
    - (2) The elimination of outdoor advertising and unsightly development through zoning should be required.
  - d. The provision of vegetation screens for the purpose of hiding objectionable views.
  - e. Selective clearing of vegetation to open up or provide views of desirable scenic qualities.
  - f. The location of and/or design of structures with an intent to achieve beauty or aesthetic qualities.
  - g. The provision of erosion control standards.
  - h. The provision of roadside parking areas and lookouts wherever scenic vistas are warranted.

Procedures for the design of the scenic highway facility following adoption of the route.

Since scenic or aesthetic values are largely a matter of personal opinion, it is assumed that the decision as to where to place the roadway to obtain the most outstanding scenery would require participation of other disciplines than the highway engineer. It is anticipated that local governmental representatives would assist in selecting and delineating scenic corridors within which the highway engineer would locate the roadway.

Coordination between the highway engineer and the above individuals in the field should be encouraged for the purpose of stimulating discussion on the most appropriate alignment. Following discussions in the field of historic and scenic values and later consideration of other factors such as economic and/or potential or real traffic, the most appropriate tentative alignment should become apparent. The tentative alignment should then be illustrated graphically for further discussions with the local representatives. This procedure should result in an agreement that would be most satisfactory to all concerned.

In addition to the local advisory group, the highway engineer may obtain advice and counsel from a qualified Division of Highways landscape architect who will assist in laying out the horizontal alignment and grade line. He will examine and identify all existing physical and natural features that should be considered in the highway facility design, and in setting the boundaries of the suggested scenic corridor. His guidance should be given extra weight in instances of differences of opinion within the above group.

#### PLANNING LAW

### CALIFORNIA GOVERNMENT CODE

# Section 65302(h) Scenic Highways Element

...The plan shall include a "scenic highway element for the development, establishment, and protection of scenic highways pursuant to the provisions of Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code."

# STREETS AND HIGHWAYS CODE

#### County Scenic Highways

154. The department shall encourage the construction and development by counties of portions of the county highways as official county scenic highways and may furnish to the counties any information or other assistance which will aid the counties in the construction or development of such scenic highways.

Whenever the department, with the advice of the Scenic Highway Advisory Committee, determines that any county highway meets the minimum standards prescribed by the department for official scenic highways, including the concept of the "complete highway," as described in Section 261, it may authorize the county in which the highway is located to designate the highway as an official county scenic highway and the department shall so indicate the highway in publications of the department and in any maps which are prepared by the department for distribution to the public which show the highway.

If the department, with the advice of the Scenic Highway Advisory Committee, determines that any county highway which has been designated as an official county scenic highway no longer meets the minimum standards prescribed by the department for official scenic highways, it may, after notice to the county and a hearing on the matter, if requested by the county, revoke the authority of the county to designate the highway as an official county scenic highway.

Amended by Chapter 1352, Statutes 1969.

Chapter 1.5. Scenic Highway Advisory Committee

Added by Chapter 1788, Statutes 1963. Heading amended by Chapter 1352, Statutes 1969.

### The Committee

227. Scenic Highway Advisory Committee, hereafter referred to in this chapter as the advisory committee, is hereby created. The advisory committee shall consist of seven members appointed by the Governor from among officials of cities and counties, persons having special competence in the field of landscape architecture as it relates to scenic conservation and others interested in highways, land planning, and park problems.

Appointments shall be for a four-year term. Each member shall hold office until the appointment and qualification of his successor. Vacancies occurring prior to the expiration of a term shall be filled by appointment for the unexpired term.

Amended by Chapter 1352, Statutes 1969.

## Technical Assistance

228. The advisory committee may consult with representatives of the State Office of Planning, the Department of Public Works, the Department of Parks and Recreation, the Office of Tourism and Visitor Services, and the Department of Water Resources who are appointed by the officer in charge of such office or department. These representatives shall supply to the advisory committee such technical and other assistance as the advisory committee requests.

Amended by Chapter 891, Statutes 1969.

### Meetings and Compensation

229. The advisory committee shall meet upon call of the Director of Public Works. The members of the advisory committee shall serve without compensation, but shall be reimbursed for all necessary expenses incurred in the performance of their duties.

Amended and renumbered by Chapter 155, Statutes 1965.

#### Duties

229.1 The advisory committee shall develop a master plan for scenic highways, shall advise and counsel the department with regard to the establishment and application by the department of standards for official scenic highways, and shall advise and counsel the department regarding the designation by the department of highways in the state scenic highway system as official state scenic highways when such highways meet the standards prescribed by the department for official scenic highways, including the concept of the "Complete Highway," as described in Section 261. The committee shall also advise and counsel the department regarding the authorization by the department to a county to designate a county highway as an official county scenic highway.

Amended and renumbered by Chapter 155, Statutes 1965.

## Article 2.5. State Scenic Highways

Added by Chapter 1788, Statutes 1963. Heading amended by Chapter 1352, Statutes 1969.

# Legislative Intent

260. It is the intent of the Legislature in designating certain portions of the state highway system as state scenic highways to establish the States responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the state highway system which, together with the adjacent scenic corridors, require special scenic conservation treatment. It is further declared to be the intent of the Legislature in designating such scenic highways to assign responsibility for the development of such scenic highways and for the establishment and application of specfic planning and design standards and procedures appropriate thereto and to indicate, in broad statement terms, the location and extent of routes and areas requiring continuing and careful coordination of planning, design, construction, and regulation of land use and development, by state and local agencies as appropriate, to protect the social and economic values provided by the State's scenic resources.

#### ZONING, SUBDIVISION AND SETBACK REGULATIONS IN SCENIC CORRIDORS

The following list summarizes the regulations of the various zones found along both Highway 190 and 198 in the areas proposed for scenic corridor status.

R-A, R-A-M: This is a rural residential zone which is found extensively around Lake Success and Lake Kaweah. The "M" designation stands for "mobilehomes". Front, 25' minimum; side, 5' minimum; rear, 25' minimum. Setbacks: Height: Two and one-half stories not to exceed 35'. One unlighted sign not more than 6 square feet in area Signs: pertaining to sale, lease or hire of the particular building, property or premises upon which displayed; no off-street advertising signs permitted. Subdivisions: Minimum area is 6,000 square feet per family; subdivisions are permitted. This is a single family estate zone which is found largely 2. R-0: in the Three Rivers area. Front, 35' minimum; side, 5' minimum; rear, 25' minimum. Setbacks: Height: Two stories not to exceed 35'. One unlighted sign pertaining to sale, lease or hire etc.; Signs: no off-site advertising signs permitted. Subdivisions: Minimum lot area of 12,500 square feet per family; subdivisions are permitted. R-1: This is the County's basic single family residential zone which is found in the Visalia Urban Area and in limited parts of Three Rivers and Springville. The setback, height, sign and subdivision requirements are identical to the R-A Zone. 4. R-2: This is a duplex zone which is found in rather limited areas in Three Rivers. Front, 20' minimum; side, 5' minimum; rear, 25' minimum. Setbacks: Two and one-half stories or 35'. Height: Same as R-1 Zone. Signs: Subdivisions: Minimum lot area of 3,000 square feet per family; subdivisions are permitted. This is the County's multiple family zone which is found in R-3, R-3-M: certain parts of Three Rivers and Springville. The zone has a maximum density of approximately 50 units per acre. Front, 15' minimum; side, 5' minimum; rear, 20' (interior Setbacks: lots), 15' (corner lots). Four stories or 50'. Height: Name plates (not more than 2 square feet), identification Signs: signs (not exceeding 20 square feet), and sale or rental signs (not exceeding 12 square feet in area); no off-site

advertising signs permitted.

are permitted.

Subdivisions: Minimum lot area of 600 square feet per family; subdivisions

6. A-1: This is the County's basic agricultural zone. Most of the frontage of State Highways 190 and 198 are presently

zoned A-1.

Setbacks: None.

Height: No specific restriction.

Signs: Sale, lease or rental signs pertaining to on-site uses (no area requirement); producer and marketing association signs (no larger than 4 square feet in area); no off-site

advertising signs permitted.

Minimum lot size in the A-1 Zone is 5 acres except under Subdivisions:

certain specified conditions; subdivisions are not permitted.

With the exception of floodplain zoning, the exclusive 7. AE: agricultural zoning is the most restrictive zoning in the County. Only a very few areas along the highways are so

zoned at present.

Front, 25' minimum; side, 10' minimum; rear, 25' minimum. Setbacks: Height:

Fifty foot except water tanks, silos, granaries, wind

machines, barns and other accessary structures.

On-site signs pertaining to a permitted use and sale, Signs: lease or rental signs (no area requirements); no off-site

advertising signs permitted.

The minimum lot size is 5 acres except under certain Subdivisions:

specified conditions; subdivisions are not permitted.

PO: This is the County's professional/administrative office 8. zone and is occasionally found in the corridor areas in

Springville and Three Rivers. Front, 15' minimum; side, 5' minimum; rear, 20' minimum

Setbacks: (interior lots) and 15' minimum (corner lots).

Four stories or 50'. Height:

Signs: Identification signs or on-site signs for permitted uses (cannot be directly illuminated, aggregate area limited to not more than one-half square foot for each one foot of frontage on the site not to exceed 100 square feet; provided further that if the site has less than 40' of frontage the sign may have an aggregate area of not more than 20'); signs may not project above the eave or parapet

line of the nearest building on the premises and may not be located in a setback area; no off-site advertising signs

permitted.

Maximum lot area covered by structures is 50%. Coverage:

Minimum lot area is 10,000 square feet for non-residential Subdivisions:

uses and 6,000 square feet for residential uses; subdivisions

are permitted.

"0": This is the County's recreation commercial zone which is 9. found in numerous areas around Lemon Cove, Lake Success,

Springville, Lake Kaweah and Three Rivers.

Same as PO. Setbacks: Same as PO. Height:

Signs: With one minor difference related to sign illumination,

the regulations are basically the same as the PO.

The maximum site area covered by structures is limited to Coverage:

20%.

Minimum lot area is 10,000 square feet; subdivisions are Subdivisions:

permitted.

10. C-1: There are very few areas of C-1 (Neighborhood, Commercial)

zoning in the corridors.

Setbacks: Front, 15'; side 5' minimum if adjacent to an R Zone;

otherwise no side yard required; rear, 15' minimum.

Height: Two and one-half stories or 35'.

Signs: On-site exterior signs pertaining to the use conducted

on site (must be attached to and parallel with the walls of the building fronting on the principal street); no

off-site advertising structures permitted.

Subdivisions: No regulation except for lots proposed for residential

purposes; subdivisions are permitted.

11. C-2: This is the County's basic central commercial district

and is found in numerous areas in Three Rivers and

Springville.

Setbacks: No requirement. Height: Six stories or 75'.

Signs: All types of advertising sign boards or structures are permitted, including off-site advertising structures.

Subdivisions: Minimum requirement of 600 square feet per family if lot

contains residential structures; otherwise, no requirement.

12. M-1: There are a few M-1 (Light Manufacturing) zoned areas in

Visalia and Porterville.

Setbacks: No requirement.
Height: Six stories or 75'.

Signs: All types of advertising sign boards or structures are

permitted including off-site advertising structures.

Subdivisions: The same as C-2 Zone.

In addition to the zoning requirements, the County also administers a Building Line Setback Ordinance (Section 7500 - 7518 Tulare County Ordinance Code) which sets forth street setback requirements which in many instances supersede zoning requirements. The basic requirement is 50' from the right-of-way centerline. In other words, no structure may be installed in Tulare County within 50' of a centerline of a public right-of-way. Obviously, these regulations may in certain cases be overly restrictive and, thus, the County processes numerous variances or exceptions from these requirements. In the case of State Highway 198, the setback regulations are even more restrictive. The following outline sets forth the special setback requirements for State Highway 198 which exceed the normal 50' requirement that I have described:

- A. The setback line between Road 204 and Road 220 is 70' from the existing centerline on the south and 15' from the northerly edge of the existing right-of-way on the north.
- B. Where the highway contains frontage roads east of the City of Visalia between the city limits and Road 156, the building line setback is 60' from the existing centerline of the right-of-way.

Another consideration is that the Subdivision Ordinance in many instances contains regulations which require lot areas which may be greater than that specified in the Zoning Ordinance. The basic rule of thumb is as follows:

- A. In non-mountainous areas the minimum lot area is 8,000 square feet if water is provided from individual wells and sewage disposal is provided by a community sewer system. The minimum lot area is 12,500 square feet if sewage disposal is provided by individual systems on the lots and water is provided by a community system. If both water and sewage disposal are provided by individual systems on the lots then the minimum lot area shall be one acre. If both water and sewage disposal are provided by means of community systems, the minimum lot area shall be 6,000 square feet for interior lots and 7,000 square feet for corner lots.
- B. In mountainous areas the minimum lot size is determined by the slope area diagram indicated on page 10 of the Subdivision Ordinance. According to this diagram the minimum lot area is determined by the relationship of soil topographical, hydrological and geological characteristics of the area.

Another factor in the Subdivision Ordinance related to scenic corridors is undergrounding of public utilities. Although the County Ordinance does not specifically prohibit overhead utilities, the State now requires undergrounding of all new facilities. Thus, all new subdivisions in the County in recent years have contained underground utilities.

The Subdivision Ordinance does not contain any specific grading requirements. However, the improvement standards of Tulare County (street improvement standards) adopted pursuant to Section 7080 of the Subdivision Ordinance contains the following provision:

"Embankment slopes shall be  $1\frac{1}{2}$  to 1 or flatter. Excavation slopes shall not be steeper than 1:1 for cuts less than 15' high nor shall they be steeper than  $1\frac{1}{2}$ :1 for cuts greater than 15' high unless evidence satisfactory to the Road Department is submitted that indicates steeper slopes would be stable."

## SIGNS AND BILLBOARDS

Section 15, General Provisions and Exceptions, of the Tulare County Zoning Ordinance addresses off-premise advertising (billboards) in the following manner:

# Section 15, Subsection A, 4 c. 3 (Uses)

"That the lawful location and maintenance of commercial signs and bill-boards existing at the time this ordinance became effective may be continued, although such use does not conform with the provisions hereof; provided, however, that no structural alterations are made thereto and provided further, that all such non-conforming sings and billboards and their supporting members shall be completely removed by their owners not later than five (5) years from the effective date of this ordinance."

### REFERENCES

- Scenic Highway Corridor Survey and Facility Study State Highway 1.
   State of California, Division of Highways, District 05.
- 2. State Master Plan for Scenic Highways. State of California, Business and Transportation Agency, Department of Public Works. 1963.
- State Scenic Highway Program Progress Report 1974. State of California, Business and Transportation Agency, Department of Transportation. 1975.
- 4. <u>General Plan Guidelines</u>. State of California, Office of Planning and Research. 1973.
- 5. The Scenic Route A Guide for the Official Designation of Eligible Scenic Highways. State of California, Business and Transportation Agency, Department of Public Works. 1970.
- 6. Scenic Highways Element. Kern County Planning Department. 1974.
- Scenic Highways Element. Kings County Regional Planning Agency, prepared by QUAD Consultants. 1975.
- 8. Scenic Highway Element. Los Angeles County Planning Department. 1974.
- 9. Scenic Highway Element. Monterey County Planning Department. 1974.
- 10. Scenic Routes and Highways Element. City of San Jose Planning Department. 1974.
- 11. <u>Sign Study Working Papers</u>. City of Costa Mesa Planning Department. 1972.
- 12. Economic Base Study. Tulare County Planning Department. 1975.
- 13. Zoning Ordinance of Tulare County. Revised 1974.
- 14. Environmental Resources Management Element. Tulare County Planning Department. 1972.
- 15. Biological Resources, ERME II, Volume 3. Tulare County Planning Department and Grunwald, Crawford and Associates. 1974.



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